

**Mayor Patrick McCrory**

Nancy Carter  
Harold Cogdell, Jr.  
Malcolm Graham  
Don Lochman  
James E. Mitchell, Jr.

**Mayor Pro Tem Patrick De'Angelo Cannon**

Patrick Mumford  
Sara S. Spencer  
John Tabor  
Lynn Wheeler  
Joe White

**CITY COUNCIL MEETING**  
**Monday, October 14, 2002**

---

**5:00 p.m.**

**Conference Center**

**Dinner Briefing**  
**(See Table of Contents)**

**7:00 p.m.**

**Meeting Chamber**

- **Invocation**
- **Pledge of Allegiance**
- **Awards and Recognitions**
- **Formal Business Meeting**



<b><u>Item No.</u></b>		<b><u>Page No.</u></b>	<b><u>Attachment No.</u></b>
<b>10.</b>	Set Dates for Council Retreats	10	
<b>11.</b>	Change Date and Time for City Clerk Evaluation	10	
<b>12.</b>	Nominations to Boards and Commissions	10	5-14

## **Consent I**

<b>13.</b>	Various Bids		
	A. Davidson-Matheson Connector	13	
	B. Monroe Road-Central Avenue Traffic Signal Communication Cable Construction	13	
	C. North Mecklenburg Rocky River Outfall Phase I	14	
	D. McKee Road 2001 Annexation Area Water and Sewer	14	
	E. Mt. Holly-Huntersville and Prosperity Church Road Annexation Areas-Phase 2 Water and Sewer	14	
<b>14.</b>	Refund of License Payments	14	15

## **Consent II**

<b>15.</b>	Johnson-Oehler Road and Loganville Drive Roadway Improvements-Developer Reimbursements	15	
<b>16.</b>	Resolution to Transfer Pence Road from State to City for Maintenance	15	16
<b>17.</b>	Budget Ordinance to Fund Municipal Agreement for I-485/Johnston Road Extension Ramp Construction	16	17
<b>18.</b>	Budget Ordinance for Transit Capital Purchases	16	18
<b>19.</b>	Reedy and McKee Creek Basin Interceptors-Contract Amendment	18	

<b><u>Item No.</u></b>		<b><u>Page No.</u></b>	<b><u>Attachment No.</u></b>
<b>20.</b>	Street Main Extensions Construction Contract Renewal #2	19	
<b>21.</b>	McDowell Creek Wastewater Treatment Plant Change Order	19	
<b>22.</b>	USGS 2002-2003 Cooperative Agreement	20	
<b>23.</b>	Statesville Avenue Widening Amended Professional Service Contract	20	
<b>24.</b>	Wilkinson Boulevard Gateway Amended Professional Service Contract	21	
<b>25.</b>	Budget Ordinance and Contract Award for International Arrivals Security System	22	19
<b>26.</b>	Budget Ordinance and Contract Award for Airfield Ramp	23	20
<b>27.</b>	Settlement of Workers Compensation Claim	23	
<b>28.</b>	Property Transactions	24	
<b>29.</b>	Meeting Minutes	30	

# 5:00 P.M. DINNER BRIEFING CONFERENCE CENTER

## 1. I-485 Interchange Update

**Resource:** Danny Rogers, Planning  
Steve Patterson, Planning

**Time:** 20 minutes

**Synopsis of Presentation:**

Purpose: Subsequent to presentation of the I-485 Interchange Plan, Council directed staff to provide periodic updates of development activities at interchanges.

- Providence Road interchange has been revised, with the completion of Rea Road and is working much more efficiently.
- The Oakdale Road interchange has been delayed indefinitely.
- Currently working with NCDOT on the schedule for NC51 interchange and Reedy-Creek Road relocation.
- Environmental planning has begun on the Prosperity Villages interchange.
- Development pressures at Prosperity Church Road and Eastfield Road, and I-485/Albemarle interchange may adversely impact the plan.
- Growth statistics within interchange areas (1990 to 2002).
  - All interchanges combined grew from 40,000 to 94,000 people (135%)
  - Residential growth was highest in the northeast (14,000) and southern (10,000) portions of the county
  - Non-residential square footage grew 88% - from 20 to 38 million square feet. The Southwest, South Boulevard and I-77 North Areas showed the most growth.

**Future Action:**

Council will be requested to consider a rezoning request for property at the corner of Prosperity Church and Eastfield Roads at the October 23, 2002 Zoning meeting. It is anticipated that the land-use plan for I-485 and Albemarle Road area will be taken to Council for adoption in November.

**Attachment 1**

I-485 interchange completion date map

## 2. University City Strategic Plan – Recommended Action Plan

**Resource:** Tom Flynn, Economic Development Office

**Time:** 20 minutes

### **Synopsis of Presentation:**

- University City Strategic Plan developed by the Urban Institute for University City Area Chamber. The City helped fund the plan.
- The Urban Institute presented the Strategic Plan to Council in January 2002 and Council requested that staff analyze the Strategic Plan and make recommendations to City Council.
- Main points of the University City Strategic Plan are:
  - Threat to University City: Growth moves further out
  - University City is a “City Without Services”
  - University City has poor connectivity
  - No advocate for University City
- University City Strategic Plan recommendations include:
  - Light Rail: North Davidson to North Tryon to University City
  - Public infrastructure investment
  - Form Public/Private Leadership Group
- Staff Short-Term Action Plan: (1-2 years)
  - City staff assist in establishing Business Improvement District (BID)
  - Work with NCDOT officials on sidewalk and other issues
  - Investigate adding housing to University Research Park
  - Begin public input on transit hub site and design
- Staff Mid-Term Action Plan: (3-5 years)
  - BID coordinates development of Harris/US29 design concept
  - BID develops signage program
  - Apply overlay zoning to Harris/US29 to prepare for light rail
  - In conjunction with Cabarrus and Concord, update NE District Plan to reflect transit alignment
- Staff Long-Term Action Plan: (5-15 years)
  - Light rail to University City
  - State funding to implement Harris/US29 design concept
  - Pedestrian/Transit Bridge over I-85

### **Future Action:**

Refer to Economic Development and Planning Committee for recommendation to full Council on Action Plan.

### 3. North Tryon Urban Village

**Resource:** Tom Flynn, Economic Development Office

**Time:** 15 minutes

**Synopsis of Presentation:**

- The North Tryon Urban Village is a recommendation of the 2010 Center City Plan. This village would contain a mixture of uses with a focus on a street level retail that would connect First and Fourth Wards.
- The target area for the Urban Village is 16 acres of land owned by the City and County and adjacent land owned by Levine Properties (see attached map).
- After Palladium Company withdrew from this project, staff reviewed options for proceeding with this project, including working with the Cousins/Levine team that also submitted a proposal on this project.
- City and County staffs have developed a process for proceeding with Cousins/Levine on the development of this project.
- This process includes:
  - Public design charette with key stakeholders in early November 2002.
  - Development of possible public infrastructure funding options December 2002.
  - Presentation to City Council and County Commission in January 2003 of a master plan concept and options for public participation in the project.
  - City Council and County Commission consideration of approving the master plan concept and directing staffs to negotiate agreements with Cousins/Levine. (February 2003)
- This process recognizes several changes in the development environment of this project:
  - As part of the \$50 million private sector underwriting for the Arena financing plan, the City will sell the Old Bus Garage through an approved sales process intended to generate the greatest value possible (minimum value to be the appraised value). This may result in an entity, other than the Cousins/Levine partnership, owning this land.
  - City participation in the project limited to providing infrastructure, which may include a parking deck.
  - County participation in the project limited to possibly swapping land to provide an appropriate park space and possible participation in funding development of a park and parking deck.

**Future Action:**

Council will be asked to approve this process on October 28, 2002.

**Attachment 2**

North Tryon Urban Village Development: Pre-Designation Process  
Map

**4. Update on Arena Related Issues**

**Resources:** Pam Syfert, City Manager  
Curt Walton, Budget Director

## **7:00 P.M. AWARDS AND RECOGNITIONS MEETING CHAMBER**

### **CONSENT**

- 5. Consent agenda items 13 through 29 may be considered in one motion except those items removed by a Councilmember. Items are removed by notifying the City Clerk before the meeting.**

---

# POLICY

## 6. City Manager's Report

## 7. New Arena

**Action: A. Receive presentations from City staff on the proposed memorandum of understanding with the NBA, the arena site selection process, the recommended site and the financing model, and**

**B. Receive public input on the proposals to locate, build, and finance a new arena, as well as the proposal to secure a major tenant.**

**Staff Resources:** Pam Syfert, City Manager  
Curt Walton, Budget Director  
Jim Schumacher, City Engineer  
Greg Gaskins, Finance Director

**Explanation:**

The memorandum of understanding with the NBA, the assemblage of land for a new arena and the details of the financial model will be finalized by October 14, 2002. Staff will present the information to the Mayor and Council and the public. Council is scheduled to vote on these issues on October 23, 2002.

## BUSINESS

### 8. Planning Liaison Committee's Organization Structure

**Action: Consider approval of the Planning Liaison Committee's Organization Structure.**

**Resources:** Patrick Mumford  
Sara Spencer  
John Tabor

**Staff Resource:** Joyce Gillon, Planning

**Explanation:**

On January 10, 2002 elected officials from the City of Charlotte, Mecklenburg County, Charlotte-Mecklenburg Board of Education, Cornelius, Davidson, Huntersville and Matthews attended the Mecklenburg County Elected Official's Summit. Mint Hill and Pineville were not represented at the summit. It was evident from the summit dialogue that there is a desire to have more opportunities for officials to come together to discuss issues and to build relationships.

The UNC-Charlotte Urban Institute facilitated the meeting and developed a summit report. One of the recommendations was that the Planning Liaison Committee has an opportunity to serve as the lead group in facilitating improved communication and cooperation among the elected bodies in Mecklenburg County, but that the committee's structure needs to be formalized to give it credibility.

A sub-committee of the Planning Liaison Committee developed an organizational structure, which was reviewed by the full Planning Liaison Committee.

On September 27, 2002 the Planning Liaison Committee reached a consensus on a structure and procedures. Essentially the Committee has formalized in writing the structure and procedures that have evolved over time and reflect the current way of doing business.

There are no major changes in structure or procedures being proposed. However, one of the recommendations is "the Committee does have authority to request appropriate staff to do research, provide information and studies or to carry issues/ projects forward." Without a time limitation, this proposal is inconsistent with Council Rules of Procedure that call for the City Manager to refer Council Member requests which require more than four hours of staff time to the City Council for approval. Council may wish to add a similar limitation for the Planning Liaison Committee procedures.

The members requested that the recommendations move forward to the Mecklenburg County Commissioners, the Charlotte City Council, the Charlotte-Mecklenburg Board of Education and to the Six Town's elected boards for their adoption.

NOTE: The Planning Liaison Committee has been evaluating the joint luncheons and their recommendations will be presented in the near future.

### **Attachment 3**

Executive Summary: Planning Liaison Committee: Organization Structure  
Planning Liaison Committee Organizational Structure Document

## **9. Regional Air Quality: NCDOT Agreement and Centralina COG Contract**

**Action:**

- A. Adopt a budget ordinance in the amount of \$275,000;**
- B. Approve a contract with the Centralina COG in the amount of \$225,000; and**
- C. Approve a reimbursement agreement with NCDOT in the amount of \$137,500.**

**Staff Resource:** Norm Steinman, Transportation

**Focus Area:** Transportation

### **Explanation:**

This action is the first of several Council will be asked to approve over the next several months relative to development of a Regional Travel Model. Approval will result in the funding of a \$225,000 contract with the Centralina COG for collection of land use data for areas within the model area, but outside of the 3 MPO's in North Carolina. This action also includes approval of a reimbursement agreement with NCDOT for \$137,500, which will partially fund the first phase of the contract with Centralina COG.

### **Background:**

Council received a presentation at the October 7<sup>th</sup> Workshop regarding the need to develop a Regional Travel Model to demonstrate Air Quality Conformity by 2005. Failure to meet conformity requirements will result in the withholding or loss of Federal transportation funds critical to road and transit funding.

One component necessary for the model is the development of regional land use and socio-economic data for the base year and projections for future years. Each MPO will accomplish this work for areas within their boundary.

The Centralina COG has been selected to produce this data for the North Carolina portion of the model area outside of the MPO areas. Centralina COG was selected for their technical competency, knowledge of the area and relationship with jurisdictions. Contract deliverables include:

- Collect and verify current land use and socio-economic data
- Develop future year land use and socio-economic projections in five year increments to 2035
- Reconcile local projections with other regional projections
- Re-allocate projections, based on that reconciliation
- Prepare final projections

Funding for the Centralina COG contract will be shared by the NCDOT, SCDOT and 4 North and South Carolina MPO's as follows:

<b>Entity</b>	<b>Project Revenue</b>
NCDOT	\$137,500
SCDOT	\$13,100
Mecklenburg-Union MPO	\$90,800
Gaston MPO	\$17,500
Cabarrus-South Rowan MPO	\$14,200
Rock Hill-Fort Mill MPO	\$1,900
<b>Total</b>	<b>\$275,000</b>
<b>Contractor</b>	<b>Contract Cost</b>
Centralina COG	\$225,000
- Land use inventory	
- Socio-economic data	
Contractor to be determined	\$50,000
- Regional socio-economic projections	
<b>Total</b>	<b>\$275,000</b>

The reimbursement agreement between the City of Charlotte and the NCDOT is for the NCDOT's portion of Centralina COG contract and one-half of the expected cost (\$25,000) for a separate contractor to develop socio-economic projections for the entire region.

**Funding:**

The budget ordinance appropriates estimated funding included in the above table.

**Attachment 4**

Budget Ordinance

## 10. Set Dates for Council Retreats

**Action: Set dates for Council retreats:**

**A. Meet Thursday, December 19, 2002 for the Council One-Day Retreat, and**

**B. Meet Wednesday, February 12 through Friday, February 14, 2003 for the Council Annual Retreat.**

## 11. Change Date and Time for City Clerk Evaluation

**Action: Change date for City Clerk evaluation to November 11 at 3:30 p.m.**

**Staff Resource:** Brenda Freeze, City Clerk

**Explanation:**

On September 23, 2002, Mayor and Council set the evaluation dates and times for the City Manager, City Attorney and the City Clerk. The Clerk will not be able to meet with the evaluation team in time to have the evaluation on October 28. Council is now being asked to change the Clerk evaluation to November 11 at 3:30 p.m.

## 12. Nominations to Boards and Commissions

**Action: Nominate citizens to serve as specified. Incumbents may be reappointed at this meeting.**

**A. AIRPORT ADVISORY COMMITTEE**

One recommendation by the Charlotte Regional Partnership for a two-year term beginning November 2002. David Cline is eligible and would like to be reappointed.

**Attachment 5**

Applications

**B. BICYCLE ADVISORY COMMITTEE**

Two appointments to serve two-year terms beginning January 2003. Harry Johnson and Joseph Scalize are eligible and would like to be reappointed.

**Attachment 6**

Applications

**C. CHARLOTTE-MECKLENBURG PUBLIC ACCESS CORPORATION (CMPAC)**

Two appointments to begin immediately. One will represent the general public and serve until June 2003. Doug Bell would like to be reappointed.

The other position will represent the television industry, non-public and serve until June 2004. Shannon Reichley has resigned.

**Attachment 7**  
Applications

**D. CIVIL SERVICE BOARD**

One appointment beginning immediately and serving until May 2005 to replace Mack Gadsden, who has resigned.

**Attachment 8**  
Applications

**E. CLEAN CITY COMMITTEE**

Two appointments to fill unexpired terms beginning immediately and ending June 2005. Nancy Gaskins and Cathryn Sleva have resigned.

**Attachment 9**  
Applications

**F. COMMUNITY RELATIONS COMMITTEE**

Two appointments beginning immediately and ending July 2004. Cecilia Burks and Veronica Hemingway have resigned.

**Attachment 10**  
Applications

**G. HOUSING APPEALS BOARD**

One position to serve three years beginning January 2002. Joyce Waddell is eligible and would like to be reappointed.

**Attachment 11**  
Applications

**H. HOUSING AUTHORITY**

One appointment to serve three years beginning December 2002. Richard Van Dyke is not eligible to be reappointed.

**Attachment 12**  
Applications

- I. PRIVATIZATION/COMPETITION ADVISORY COMMITTEE**  
One appointment beginning immediately to serve until March 2004.  
John Cothman did not fulfill Council's attendance requirements.

**Attachment 13**  
Applications

- J. TREE ADVISORY COMMITTEE**  
Three appointments for three years beginning December 2002.  
Thomas Lanning is not eligible for reappointment; Pat Rogers and  
Beverly Stratman are eligible and would like to be reappointed.

**Attachment 14**  
Applications

## **Introduction to CONSENT**

The consent portion of the agenda is divided into two sections: Consent I and Consent II.

Consent I consists of routine items that have been approved in the budget and are low bid.

Consent II consists of routine items that have also been approved in the budget, but may require additional explanation.

Contracts awarded to Minority and Women Business Development (MWBD) certified companies are noted. The MWBD abbreviations are as follows:

ABE – Asian American

BBE – African American

HBE – Hispanic

NBE – Native American

WBE – Non-Minority Women

Disadvantaged Business Enterprise (DBE) is a federal program primarily used for Aviation and Transit. DBE is race neutral.

Contractors and Consultants

All contractors and consultants selections follow the Council approved process unless explained otherwise.

## **CONSENT I**

### **13. Various Bids**

#### **A. Davidson-Matheson Connector**

**E&PM**

**Recommendation:**

The City Engineer recommends the low bid of \$1,046,729.51 by 7 Star Construction of Rock Hill, South Carolina. This project constructs a street connecting Brevard Street to Matheson Avenue with an intersection at North Davidson Street. This project is scheduled to be completed by Winter 2003.

#### **B. Monroe Road-Central Avenue Traffic Signal Communication Cable Construction**

**CDOT**

**Recommendation:** The Transportation Director recommends the low bid of \$393,864.75 by Trawick Construction of Florida. This project constructs aerial and underground fiber optic traffic signal communications and video surveillance cameras along Monroe Road and Central Avenue to mitigate congestion on streets paralleling Independence Boulevard during construction of Independence Freeway. The communications and video surveillance cameras will be installed by March 1, 2003.

**C. North Mecklenburg Rocky River Outfall Phase I CMU**

**Recommendation:** The Charlotte-Mecklenburg Utilities Director recommends the low bid of \$1,046,912.67 by Bryant Electric Company, Inc. of Archdale, North Carolina. This project consists of sewer pipe, manholes and various erosion controls.

**D. McKee Road 2001 Annexation Area CMU**

**Recommendation:** The Charlotte-Mecklenburg Utilities Director recommends the low bid of \$806,652.85 by B.R.S., Inc. of Richfield, North Carolina. This project consists of sewer pipe, water main, and various erosion controls. This area is in the vicinity of Amanda Drive South, Bounty Court, Weddington Road, and McKee Road.

**E. Mount Holly- Huntersville and Prosperity Church Road 2001 Annexation Areas-Phase 2 CMU**

**Recommendation:** The Charlotte-Mecklenburg Utilities Director recommends the low bid of \$628,351.72 by Sanders Utility Construction Company, Inc. of Charlotte, North Carolina. This project consists of sewer pipe, manholes, and various erosion controls. This area is in the vicinity of Beatties Ford Road, Lakeview Road, Statesville Road, Vance Road, Williamburg Road, Prosperity Church Road and Mount Holly-Huntersville Road.

**14. Refund of License Payments**

**Action: Adopt a resolution authorizing the refund of business privilege license payments made in error in the amount of \$31,149.62.**

**Attachment 15**

Resolution

List of Refunds

## CONSENT II

### 15. Johnston-Oehler Road and Loganville Drive Roadway Improvements–Developer Reimbursement

**Action: Authorize the City Manager to reimburse Prosperity Place LLC in the amount of \$139,000 for public roadway improvements on Johnston-Oehler Road and Loganville Drive.**

**Staff Resource:** Scott Putnam, Transportation

**Explanation:**

Johnston-Oehler Road and Loganville Drive are minor thoroughfares and part of the City's Prosperity Village roadway plan. These streets are being constructed on new alignments and are part of subdivision approval for Prosperity Place LLC, who is required to construct a roadway cross-section to meet only collector street standards. This action reimburses the developer for the additional cost to construct a minor thoroughfare roadway cross-section in conformance with the Prosperity Village plan instead of a collector street standard.

The North Carolina General Assembly has authorized the City to enter into road improvement contracts with private parties where the private developer can construct the improvements using its contractor who is already doing work on site, using force account labor or a separate contractor, or where coordinating the work of the private contractor with the City's work is impractical.

The project is scheduled for completion in August 2003.

**Funding:**

Transportation Capital Investment Plan

### 16. Resolution to Transfer Pence Road from State to City for Maintenance

**Action: Adopt a resolution to transfer maintenance of Pence Road from the North Carolina Department of Transportation (NCDOT) to the City of Charlotte.**

**Staff Resource:** Debbie Self, Transportation

**Explanation:**

The City plans to construct curb and gutter, sidewalk, planting strips and bike accommodations along Pence Road as part of a streetscape and sidewalk project. This project is consistent with the Eastside Strategy Plan and construction is expected to begin within two months, with an 18-month construction schedule. The project cost is \$3.9 million, with \$1.9 million for streetscape and \$2 million for sidewalks.

The City accepts State-maintained streets upon request and mutual agreement and/or when the streets are within an annexed area and not part of the NCDOT primary road system. The portion of Pence Road to be transferred extends from Highland Avenue to Harrisburg Road, consisting of 2.14 miles of roadway.

**Attachment 16**

Resolution

## 17. **Budget Ordinance to Fund Municipal Agreement for I-485/Johnston Road Extension Ramp Construction**

**Action: Approve a Budget Ordinance totaling \$500,000 in State Department of Transportation (NCDOT) funding for the City to construct ramps from I-485 to Johnston Road.**

**Staff Resource:** Bill Dillard, Transportation

**Explanation:**

The NCDOT will reimburse the City under the April 10, 2000 municipal agreement for 5/6<sup>th</sup> of the actual construction costs of the widening and extension of Johnston Road from NC 51 to I-485, including the construction of ramps from I-485 to Johnston Road, up to a maximum amount of \$500,000. The estimated construction cost of the project is \$600,000, with the remaining \$100,000 City (street bonds) reserved in the Johnston Road Extension project account.

The expected completion date for the project is October 24.

**Attachment 17**

Budget Ordinance

## 18. **Budget Ordinance for Transit Capital Purchases**

**Action: Adopt a budget ordinance totaling \$14,658,744 for approved Transit Capital Projects.**

**Staff Resource:** Dee Pereira, Charlotte Area Transit System

**Explanation:**

The City's Transit Program receives several types of Federal and State grant revenues, which fund a portion of the Charlotte Area Transit System's (CATS) approved capital budget program. The City estimates Federal and State grant participation levels and advances funding from the Transit Fund balance to cover estimated grant revenues. Upon receipt of the grant revenues, funds advanced to the program revert back to the Transit Fund balance.

On June 10, 2002 Council authorized the City Manager and CATS CEO to apply and accept Federal and State grants.

Council is requested to adopt a budget ordinance for:

- 1) Estimates for new FY2003 Federal allocations for CATS capital programs at \$10,362,246. Appropriations are estimated to be received for the following grants:
  - Urbanized Area Formula Grant up to \$8,000,000 from Federal Transit Administration. The funds will be used to purchase:
    - Special Transportation Services paratransit vans,
    - Bus facilities improvements including transit enhancements such as bus shelters and signage,
    - Engineering and Design of Park & Ride lots,
    - Intelligent Transit System (ITS) including Farebox Equipment, Camera Surveillance at Davidson Street Facility, Computer Refresh, and Automatic Passenger Counters,
    - Vans for Vanpool,
    - Service Support vehicles,
    - Transit Hub Improvements and
    - Engineering & Design of New Hubs (Eastland & Beatties Ford).
  - Bus Discretionary Grant up to \$2,312,246. Funding will be used towards the purchase of the FY2004 Buses (Expansion).
  - Emergency Preparedness Drills grant in the amount of \$50,000.
- 2) Estimated grant applications for FY2003 North Carolina Department of Transportation (NCDOT) total \$1,859,573 and include:
  - \$891,356 match for the Urbanized Area Formula Grant.
  - \$289,030 match for the Bus Discretionary Grant.
  - \$679,187 for transit technology equipment including partial funding for: Automatic Passenger Counters, Timekeeping System, Camera Surveillance at Davidson Street Facility, and Computers.

**Funding:**

The budget ordinance appropriates \$14,658,744, including Federal grants totaling \$10,362,246; State grants totaling \$1,859,573 and; Local funds totaling \$2,436,925. In order to implement the projects, amounts equal to the Federal and State grants will be advanced from the Transit Fund balance until receipt of the grants.

**Attachment 18**

Budget Ordinance

Funding Summary

## 19. Reedy And McKee Creek Basin Interceptors–Contract Amendment

**Action: Approve Amendment #1 for \$398,100 with Woolpert LLP to provide additional engineering services for the Reedy Creek and McKee Creek Basin Interceptors.**

**Staff Resource:**

Doug Bean, Utilities

**Explanation:**

The original \$1,273,100 contract with Woolpert was approved by City Council on March 26, 2001. This contract will provide planning, design and construction management of sanitary sewer facilities in the Mecklenburg County portion of the Reedy and McKee Creek Basins. The need for these facilities is based on the continued development in the Reedy and McKee Creek Drainage Basins. The need is identified in the 2005 General Land Use Plan and was approved in the FY2000 Capital Investment Plan.

Amendment #1 will provide for additional design, surveying, environmental and geotechnical services that include:

- additional surveying to accommodate S.W.I.M. stream buffer requirements,
- a basin study to evaluate future annexation water and sewer needs,
- economic analysis of two alternatives for collection and treatment of wastewater from the Reedy/McKee basin, and
- realignments to accommodate landowner requests.

With this amendment, the contract with Woolpert will increase from \$1,273,100 to \$1,671,200.

**MWBD:** \$24,500 will be subcontracted to a WBE firm and \$24,200 to an OBE firm.

**Funding:**

Water and Sewer Capital Investment Plan

**20. Street Main Extensions Construction Contract Renewal #2**

**Action: Approve Renewal #2 for \$828,361.20 with UW2 Contractors, Incorporated for continued construction of FY01 Contract #110 water and sewer street main extensions.**

**Staff Resource:** Doug Bean, Utilities

**Explanation:**

This renewal will enable Utilities to continue construction throughout the City of Charlotte and Mecklenburg County for applicants who have requested water and sewer main street main extensions.

The contract document provides for renewal of the contract up to three times, at the City's option, as an incentive to the contractor for productivity and workmanship. This renewal will increase the contract amount for FY01 Contract #110 from \$1,656,722.40 to \$2,485,083.60.

**MWBD:** \$23,000 will be subcontracted to BBE firms and \$53,000 to WBE firms.

**Funding:**

Water and Sewer Capital Investment Plan

**21. McDowell Creek Wastewater Treatment Plant Change Order**

**Action: Approve Change Order #1 for \$125,829.05 with State Utility Contractors for electrical work at the McDowell Creek Wastewater Treatment Plant.**

**Staff Resource:** Doug Bean, Utilities

**Explanation:**

In August 2000, Council approved a contract to begin design of an expansion of the McDowell Creek WWTP that would double its capacity.

In the summer of 2001 during the expansion design phase, it was determined that substantial savings could be realized in coordinating the electrical work for the upgrade contract with the work required for the future plan expansion. A substantial amount of electrical work required for the expansion project could be done in conjunction with the upgrade contract by upsizing many components already being constructed. This would avoid demolition and duplication of electrical work in the future expansion projects. Therefore, the number and sizing of the electrical conduits and control systems were revised to coordinate the current upgrade with the future expansion needs. Change order #1 will incorporate these changes. With this

change order, the contract with State Utility will increase from \$1,193,945 to \$1,319,774.05.

On February 12, 2001, Council approved a contract with State Utility Contractors in the amount of \$1,193,945. This contract provides for electrical upgrades for dewatering facilities, improvements to anaerobic digesters, modifications to the influent pump station and power for a new boiler facility at the McDowell Creek Wastewater Treatment Plant.

**Funding:**

Water and Sewer Capital Investment Plan

## **22. United States Geological Society (USGS) 2002-2003 Cooperative Agreement**

**Action: Approve the 2002-2003 Cooperative Program Agreement with the USGS for storm water data collection activities in the amount of \$220,625.**

**Staff Resource:**

Steve Sands, Engineering and Property Management

**Explanation:**

The 2002-2003 Cooperative Program Agreement with USGS includes:

- continued operation and maintenance of the rainfall and stream flow gage networks;
- installation of two new gages;
- continued hydrologic data collection; and
- installation and maintenance of six water quality monitors.

The cooperative agreement leverages City funds with the USGS funds. The total cost of the service is \$441,250. The City's share is \$220,625. The USGS will pay the remainder of the cost.

**Funding:**

Storm Water Operating Budget

## **23. Statesville Avenue Widening Amended Professional Service Contract**

**Action: Approve an amendment for \$412,891 with Gannett Fleming for engineering services for the Statesville Avenue Widening project.**

**Staff Resource:** David Meachum, Engineering and Property Management

**Explanation:**

The Statesville Avenue Widening project was approved in the 1998 Bond Referendum. On March 27, 2000 Council approved an engineering planning and design agreement with Gannett Fleming for \$447,600.

This amendment will provide funding to conduct the bid phase and construction administration including inspection for the project. The amendment will also provide funding for coordination efforts, as needed for construction of the Asbury Avenue Extension project.

The Asbury Avenue Phase II construction started in September 2002 and is to be completed in November 2003. The Statesville Avenue Widening project is currently in bid phase. Construction is scheduled to begin in January 2003, pending approval of the 2002 bond referendum.

**Funding:**

Transportation Capital Investment Plan

## **24. Wilkinson Boulevard Gateway Amended Professional Service Contract**

**Action: Approve Change Order #1 to the Wilkinson Boulevard Gateway contract with Blythe Development Company of Charlotte, North Carolina for \$183,945.30.**

**Staff Resource:** David Meachum, Engineering and Property Management

**Explanation:**

Council awarded the original contract on October 22, 2001 for \$882,832.70. This project started on January 3, 2002 and extended for 280 days. The project is included in the Westside Strategy Plan and is located at the Wilkinson Boulevard and West Morehead Street intersection.

The change order #1 will provide for additional work beyond the original project scope included in the plans. The quantities for incidental stone and masonry drainage structure exceeded the original estimate due to field changes caused by utility conflicts. The additional storm drainage pipes, utility lines and vertical curb were not part of the original contract.

Prices for this change order are based on existing contract unit prices and negotiated prices for new items. The prices are appropriate for the work.

The new contract sum is \$1,066,778.

**Funding:**

Economic Development Capital Investment Plan

**25. Budget Ordinance and Contract Award for International Arrivals Security System**

**Action: A. Adopt a budget ordinance appropriating \$500,000 from the Airport Discretionary Fund Balance to be repaid from the proceeds of Future General Airport Revenue Bonds, and**

**B. Award a contract in the amount of \$499,748 to Charlotte Sound & Visual Systems, Inc. of Charlotte for the installation of a security system in International Arrivals.**

**Staff Resource:** Jerry Orr, Aviation**Explanation:**

As a part of the International Concourse expansion project, the Airport has expanded the International Arrivals facility from 30,000 square feet and 400 passengers processed per hour to 100,000 square feet and 1,200 passengers processed per hour at a cost of \$13 million.

New Immigration and Naturalization Services (INS) and Customs specifications require the Airport to install a security system in this space. This permits INS or Customs personnel to sit in the control center and monitor locking and unlocking of all doors, alarms and movement of passengers through closed circuit television (CCTV) from airplane to final clearance. Until this system is completed the Airport is providing guards throughout the facility to maintain international operations.

**Summary of Bids:**

<b>Charlotte Sound &amp; Visual Systems, Inc.</b>	<b>\$499,748</b>
Johnson Controls, Inc.	\$590,093
Building Technologies Alliance	\$859,100
ADT Security Services, Inc.	\$888,000

**Committee Discussion:**

The Airport Advisory Committee recommends this action.

**Funding:**

Aviation Capital Investment Plan

**Attachment 19**

Budget Ordinance

**26. Budget Ordinance and Contract Award for Airfield Ramp**

**Action: A. Adopt a Budget Ordinance appropriating \$208,489 from the Airport Excluded Centers Fund Balance, and**

**B. Award a contract to Arvy Construction of Charlotte, North Carolina in the amount of \$193,489 for earthwork needed in the Airport’s Corporate Aviation Area.**

**Staff Resource:** Jerry Orr, Aviation

**Explanation:**

Currently, various sites in the Airport’s corporate aviation area are below the level of the airfield ramp elevation. This contract will provide 45,000 yards of dirt needed to build a 2.45 acre site in elevation approximately 14 feet to match the existing ramp elevation. This location will be used for construction of a future corporate hangar.

This budget ordinance consists of:

Construction	\$193,489
Quality Assurance	<u>15,000</u>
Total	\$208,489

**Summary of Bids:**

<b>Arvy Construction</b>	<b>\$193,489.00</b>
Terra Designs	\$193,902.00
FT Williams	\$209,662.40
Showalter Construction	\$266,571.00
On-Site Development	\$312,343.00
Blythe Construction	\$323,078.00
Sealand Contractors	\$425,110.00

**Committee Discussion:**

The Airport Advisory Committee recommends this action.

**Funding:**

Aviation Capital Investment Plan

**Attachment 20**

Budget Ordinance

**27. Settlement of Workers Compensation Claim**

**Action: Approve Workers Compensation claim settlement in the amount of \$175,000.**

**Staff Resource:** Court Fulton, City Attorney's Office

**Explanation:**

Mediation of a claim was held on September 3, 2002, at which a fair and reasonable settlement was reached. Under the settlement, the City is to pay \$175,000. The City will obtain a full release of the claim in exchange for the payments. Materials referring to the settlement were forwarded to Council on October 4, 2002.

**Funding:**

Insurance Reserves

## 28. Property Transactions

**Action: Approve the following property acquisitions (A-G) and adopt the condemnation resolutions (H-P).**

For property transactions A - C, the purchase price was determined by an independent appraiser and was reviewed by a second appraiser. Each appraisal takes into consideration the specific quality and quantity of the land. The tax value is determined on a more generic basis and will be higher or lower for land/house with certain attributes. Property is acquired for Federal Guidelines 49 CFR Part 24 of the Uniform Acquisition and Relocation Act of 1970. Acquisition cost are eligible for Federal Aviation Administration reimbursement.

NOTE: Condemnation Resolutions are on file in the City Clerk's Office.

**Acquisitions:**

- A. Project:** Airport Master Plan Land Acquisition  
**Owner(s):** Ahepa Marathon Chapter 2 Foundation  
**Property Address:** Wallace Neel Road  
**Property to be acquired:** 47.70 acres  
**Improvements:** Vacant land  
**Purchase Price:** \$2,530,000  
**Zoned:** R3  
**Use:** Vacant land  
**Tax Value:** \$283,590  
**Tax Code:** 113-133-01
- B. Project:** FAR Part 150 Land Acquisition  
**Owner(s):** Ronald & Toni Wright  
**Property Address:** Cathy Dr. & Old Dowd Road

**Property to be acquired:** 4.88 acres  
**Improvements:** Vacant land  
**Purchase Price:** \$190,820  
**Zoned:** I1  
**Use:** Vacant land  
**Tax Value:** \$37,610  
**Tax Code:** 113-111-03, 113-111-10, 113-111-16

- C. Project:** FAR Part 150 Land Acquisition  
**Owner(s):** Daniel & Pamela Ellis  
**Property Address:** 7002 Old Steele Creek Rd  
**Property to be acquired:** 1.48 acres  
**Improvements:** Single family residence  
**Purchase Price:** \$119,600  
**Zoned:** R3  
**Use:** Single family residence  
**Tax Value:** \$86,230  
**Tax Code:** 141-041-08
- D. Project:** Southwest Water Transmission Main, Parcel #29  
**Owner(s):** Glenn Carroll Hamby, Jr. and Wife, Ann Marlo Hamby  
**Property Address:** 415 Melynda Road  
**Property to be acquired:** 17,818 sq.ft. (0.409 ac.) of Permanent Easement plus 11,680 sq.ft. (0.268 ac.) of Temporary Construction Easement  
**Improvements:** Trees, Shrubs, Landscaped Areas and Split Rail Fence  
**Purchase Price:** \$13,000  
**Remarks:** This acquisition is required for the Southwest Water Transmission Main Project. Compensation was established by independent, certified appraisals in the area.  
**Zoned:** R-4 and R-5  
**Use:** Single family residential  
**Tax Code:** 057-101-48  
**Total Parcel Tax Value:** \$114,780
- E. Project:** Prosperity Church Road Widening-Phase II, Parcel #86  
**Owner(s):** Lincoln Center at Mallard Creek, LLC  
**Property Address:** 10400 Mallard Creek Road  
**Property to be acquired:** 3,014 sq.ft. (0.069 ac.) of Fee Simple plus 6,946 sq.ft. (0.159 ac.) of Temporary Construction Easement  
**Improvements:** Landscaping, Irrigation  
**Purchase Price:** \$70,000  
**Remarks:** This acquisition is required for the Prosperity Church Road Widening-Phase II Project. Compensation was established by an independent, certified appraisal and an appraisal review.

**Zoned:** RE-1  
**Use:** Office  
**Tax Code:** 047-168-20  
**Total Parcel Tax Value:** \$2,157,990

- F. Project:** Brookshire Boulevard Widening, Parcel #9  
**Owner(s):** H.T. Vuvan  
**Property Address:** 3900 Brookshire Boulevard  
**Property to be acquired:** 2,709 sq.ft. (0.062 ac.) of Fee Simple plus 2,446 sq.ft. (0.056 ac.) of Temporary Construction Easement  
**Improvements:** Ornamental Shrubbery and Trees  
**Purchase Price:** \$32,000  
**Remarks:** This acquisition is required for the Brookshire Boulevard Widening Project. Compensation was established by two independent, certified appraisals and an appraisal review.  
**Zoned:** B-1  
**Use:** Fast Food/Commercial  
**Tax Code:** 039-012-04  
**Total Parcel Tax Value:** \$434,810
- G. Project:** Nations Ford Road Sidewalk, Parcel #18  
**Owner(s):** Carroll B. Little, Sr, Carroll B. Little, Jr. and Wife, Elaine B. Little, Virginia L. Cannon, Virginia L. Cannon and Husband, James G. Cannon, Samuel Martin Little and Wife, Suzanne Q. Little  
**Property Address:** Nations Ford Road  
**Property to be acquired:** 14,948 sq.ft. (0.343 ac.) of Permanent Easement plus 14,622 sq.ft. (0.336 ac.) of Fee Simple, plus 327 sq.ft. (.007 ac) of Temporary Construction Easement  
**Improvements:** None  
**Purchase Price:** \$14,388.20  
**Remarks:** This acquisition is required for the Nations Ford Road Sidewalk Project. Compensation was established by an independent, certified appraisal and an appraisal review.  
**Zoned:** BDCD  
**Use:** Commercial  
**Tax Code:** 203-189-05  
**Total Parcel Tax Value:** \$301,090

**Condemnations:**

- H. Project:** Long Creek Pump Station, Parcel #24  
**Owner(s):** Rolf L. Wilhelm and Wife, Linda Wilhelm and Any Other Parties of Interest  
**Property Address:** 1816 Hart Road

**Property to be acquired:** 13,893 sq.ft. (.319 ac.) of Permanent Sanitary Sewer Easement plus Temporary Construction Easement

**Improvements:** None

**Purchase Price:** \$3,250

**Remarks:** This acquisition is required for the Long Creek Pump Station Project. Compensation was established by an independent, certified appraisal and an appraisal review. City staff has yet to reach a negotiated settlement with the property owner.

**Zoned:** R-3

**Use:** Single family residential and greenhouse business

**Tax Code:** 031-201-38

**Total Parcel Tax Value:** \$100,980

- I. Project:** West Craighead/Frew Road Improvements, Parcel #36  
**Owner(s):** Ihl Jihn Lee and Wife, Kyung Lee and Any Other Parties of Interest  
**Property Address:** 343 West Craighead Road  
**Property to be acquired:** 2,852 sq.ft. (0.066 ac.) of Fee Simple plus Temporary Construction Easement  
**Improvements:** None  
**Purchase Price:** \$975  
**Remarks:** This acquisition is required for the West Craighead/Frew Road Improvements Project. Compensation was established by an independent, certified appraisal and an appraisal review. City staff has yet to reach a negotiated settlement with the property owner.  
**Zoned:** I-1  
**Use:** Commercial  
**Tax Code:** 085-115-07  
**Total Parcel Tax Value:** \$35,150
- J. Project:** West Craighead/Frew Road Improvements, Parcel #42  
**Owner(s):** Ihl Jihn Lee and Wife, Kyung Lee and Any Other Parties of Interest  
**Property Address:** West Craighead Road  
**Property to be acquired:** 9,396 sq.ft. (0.216 ac.) of Fee Simple plus Temporary Construction Easement  
**Improvements:** None  
**Purchase Price:** \$14,250  
**Remarks:** This acquisition is required for the West Craighead/Frew Road Improvements Project. Compensation was established by an independent, certified appraisal and an appraisal review. City staff has yet to reach a negotiated settlement with the property owner.  
**Zoned:** I-1  
**Use:** Commercial  
**Tax Code:** 085-115-05

---

**Total Parcel Tax Value:** \$27,550

- K. Project:** North Tryon Street Improvements, Parcel #31  
**Owner(s):** Carolina National Investments c/o Hossein Zarrabzakeh and Any Other parties of Interest  
**Property Address:** 4116 North Tryon Street  
**Property to be acquired:** 309 sq.ft. (0.007 ac.) of Temporary Construction Easement  
**Improvements:** Tree  
**Purchase Price:** \$975  
**Remarks:** This acquisition is required for the North Tryon Street Improvements Project. Compensation was established by an independent, certified appraisal and an appraisal review. City staff has yet to reach a negotiated settlement with the property owner.  
**Zoned:** B-2  
**Use:** Auto Sales  
**Tax Code:** 091-081-10  
**Total Parcel Tax Value:** \$603,440
- L. Project:** Southwest Water Transmission Main, Parcel #7  
**Owner(s):** Republic Services of North Carolina, LLC and Any Other Parties of Interest  
**Property Address:** 5000 Rozzelles Ferry Road  
**Property to be acquired:** 8,775 sq.ft. (0.201 ac.) of Permanent Easement plus Temporary Construction Easement  
**Improvements:** None  
**Purchase Price:** \$8,075  
**Remarks:** This acquisition is required for the Southwest Water Transmission Main Project. Compensation was established by an independent, certified appraisal and an appraisal review. City staff has yet to reach a negotiated settlement with the property owner.  
**Zoned:** I-2  
**Use:** Vacant  
**Tax Code:** 035-012-03  
**Total Parcel Tax Value:** \$24,860
- M. Project:** Southwest Water Transmission Main, Parcel #36  
**Owner(s):** Roadway Express, Inc. and Any Other Parties of Interest  
**Property Address:** 6600 CSX Way  
**Property to be acquired:** 43,952 sq.ft. (1.009 ac.) of Permanent Easement plus Temporary Construction Easement  
**Improvements:** None  
**Purchase Price:** \$17,525  
**Remarks:** This acquisition is required for the Southwest Water Transmission Main Project. Compensation was established by an independent, certified appraisal and an appraisal review.

City staff has yet to reach a negotiated settlement with the property owner.

**Zoned:** I-2

**Use:** Warehouse/Industrial

**Tax Code:** 057-141-02

**Total Parcel Tax Value:** \$7,438,980

- N. Project:** Southwest Water Transmission Main, Parcel #37  
**Owner(s):** Roadway Express, Inc. and Any Other Parties of Interest  
**Property Address:** 6699 CSX Way  
**Property to be acquired:** 26,156 sq.ft. (0.600 ac.) of Permanent Easement plus Temporary Construction Easement  
**Improvements:** None  
**Purchase Price:** \$7,250  
**Remarks:** This acquisition is required for the Southwest Water Transmission Main Project. Compensation was established by an independent, certified appraisal and an appraisal review. City staff has yet to reach a negotiated settlement with the property owner.  
**Zoned:** I-2  
**Use:** Vacant  
**Tax Code:** 057-142-01  
**Total Parcel Tax Value:** \$282,290
- O. Project:** Southwest Water Transmission Main, Parcel #57  
**Owner(s):** Fred S. Frazier, Jr. and Any Other Parties of Interest  
**Property Address:** 2301 Toddville Road  
**Property to be acquired:** 4,880 sq.ft. (0.112 ac.) of Permanent Easement  
**Improvements:** None  
**Purchase Price:** \$3,975  
**Remarks:** This acquisition is required for the Southwest Water Transmission Main Project. Compensation was established by an independent, certified appraisal and an appraisal review. City staff has yet to reach a negotiated settlement with the property owner.  
**Zoned:** R-3  
**Use:** Single family residential  
**Tax Code:** 059-082-10  
**Total Parcel Tax Value:** \$49,160
- P. Project:** Sanitary Sewer to Serve Torrence Creek Tributary #1, Parcel #8  
**Owner(s):** Hampton at Northcross Homeowners Association, Inc. and Any Other Parties of Interest  
**Property Address:** 15800 Doyers Drive

**Property to be acquired:** 18,659 sq.ft. (0.428 ac.) of  
Temporary Construction Easement

**Improvements:** None

**Purchase Price:** \$10,525

**Remarks:** This acquisition is required for the Sanitary Sewer to Serve Torrence Creek Tributary #1 Project. Compensation was established by an independent, certified appraisal and an appraisal review. City staff has yet to reach a negotiated settlement with the property owner.

**Zoned:** GR

**Use:** Vacant

**Tax Code:** 009-243-99

**Total Parcel Tax Value:** \$0

## 29. Meeting Minutes

**Action: Approve the titles, motions and votes reflected in the Clerk's record as the minutes of:**

- **September 3, 2002 Workshop and Forum**
- **September 9, 2002 Business Meeting**
- **September 17, 2002 Zoning Meeting**
- **September 23, 2002 Business Meeting**